



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE - SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

Alw

JUN 28 2013

Certified Mail - Return Receipt Requested

Town Selectmen
Town of Jonesport, Maine
Town Hall
P.O. Box 489
Jonesport, ME 04649

Re: Notice of Violation No. 2013-NOV-03

The purpose of this Notice of Violation ("NOV") is to inform you that personnel of the United States Environmental Protection Agency ("EPA") have identified a violation of the Clean Water Act ("CWA") within the Town of Jonesport, Maine (the "Town"). Section 301 of the CWA, 33 U.S.C. § 1311 prohibits the discharge of pollutants to waters of the U.S. without a National Pollutant Discharge Elimination System ("NPDES") permit.

On September 7, 2012, EPA personnel collected surface water samples, in accordance with an EPA-approved Quality Assurance Project Plan, from points within the Town (see photos below). These samples, collected during dry weather, were analyzed and the resulting data, summarized in Attachment 1, demonstrate that the Town is discharging pollutants from its infrastructure into waters of the U.S. without NPDES permit authorization. At least one of the samples contains fecal coliform, caffeine, acetaminophen and other pharmaceutical compounds which provide evidence that the sources of pollutants are of human origin and result from the presence of sanitary sewage. The discharges on September 7, 2012 violate Section 301 of the CWA, 33 U.S.C. § 1311.

It is the responsibility of the Town to maintain compliance with the CWA. **Within thirty (30) days of the date of receipt of this NOV**, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, please submit to the contact person listed below a Statement describing the following:

- (1) For each stormwater catchbasin, drain, pipe, discharge point and sample location shown in the attached photo log (Attachment 2), provide the following information (photo numbers may be used as reference in the answers):
 - a. Who owns the infrastructure;
 - b. Responsible party for cleaning and maintaining infrastructure;

- c. All sources (including legal names of property or business owner) of water discharged into the piece of infrastructure;
- d. If owned by the Town;
 - i. The date of last inspection by Town; and
 - ii. All inspection reports and capital improvement plans for its' maintenance and upkeep.
- (2) The suspected source(s) of the human sanitary sewage at the Sawyer Square sample location listed in Attachment 1;
- (3) The location of any additional infrastructure including pipes, ditches, culverts or other conveyances that at any time conveys stormwater or wastewater;
- (4) Town Ordinances concerning Shoreline Zoning

In addition, the Town shall monitor each of the sample locations listed in the table below two (2) times in dry weather and two (2) times in wet weather before **August 15, 2013**. For the purposes of this request, wet weather conditions will be met when greater than 0.10 inch of precipitation has occurred in the 24 hours preceding sampling. The Town shall record the physical attributes of each outfall or sampling location, and shall note additional observations, including, but not limited to, the construction materials, size, flow volume, odor, and weather conditions including rainfall. The Town shall collect and analyze samples at each location for ammonia, surfactants, chlorine, and enterococcus bacteria. All analyses with the exception of bacteria may be performed using field kits or field instrumentation that achieves the following Reporting Limits: ammonia – 0.5 mg/l; surfactants – 0.25 mg/l as MBAS; chlorine – 0.02 mg/l as total chlorine. A photograph of each sample location shall be recorded during each sample event, in addition to GPS coordinates. If no GPS unit is available, then a description of the location using landmarks and cross streets shall be recorded. Sampling of any tidally-influenced locations shall occur as close to low tide as possible, and not more than 2 hours from within the predicted low tide for that date. The Town shall submit all requested sample data on or before **August 30, 2013**.

This NOV may not specify all violations of the CWA or violations of other environmental requirements that may exist in the Town. This NOV does not preclude the EPA or any other agency from commencing any enforcement action regarding any such violations. It is your responsibility to comply with all legal requirements, whether or not the EPA notifies you of any violations or takes enforcement action against you. Nothing in this NOV relieves you of other obligations under applicable federal, state, and local law. Failure to comply with the CWA may result in your liability for administrative, civil, or criminal penalties under Section 309 (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(c), (d), or (g), as modified by 40 C.F.R. Part 19. No provision of this NOV and no action or inaction by EPA shall be construed to constitute an assurance by the EPA

Town of Jonesport

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that actions you take to address the violation(s) specified herein will result in compliance.

Please submit all information and refer any questions regarding this NOV to:

U.S. Environmental Protection Agency, Region 1
5 Post Office Square – Suite 100
Water Technical Unit
Mail Code OES04-4
Boston, MA 02109-3912
Attn: Alex Rosenberg
617-918- 1709

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship
Environmental Protection Agency, Region 1

cc: Brian Kavanah, MEDEP

Attachment 1

EPA New England Stormwater Outfall Inspection & Sampling Summary - Jonesport, ME 08/7/2012

Location				PPCP ng/L												Coordinates		Weather
				Flow	Fecal Colifor	Surfactants	Chlorine	NH3 (mg/l)		Acetamin		1,7-Dimethyl		Carbama	Metoprol			
Date	Town	Site Name	Time	(gpm)	m(CFU/100ml)			Test St.	Atenolol	ophen	Cotinine	xanthine	Caffeine	zepine	ol	GPS North(+)	GPS West (-)	
8/7/12	Jonesport, ME	Sawyer Sq - 1	935	~2	>1600	0.5	0.1	2.00	1.3	110000	7.1	750	700	2.6	350	44.53370613	-67.59491135	Dry
8/7/12	Jonesport, ME	Cranberry Ln-1	1020	~10	14	1	0.13	0.25	ND	ND	3.1	ND	13	0.63	ND	44.53578295	-67.59870379	Dry
8/7/12	Jonesport, ME	Cranberry Ln-1D	1020		25	NA	NA	NA	ND	ND	3.3	ND	10	0.72	ND	NA	NA	Dry
8/7/12	Jonesport, ME	Hopkins Beach-1	1040	~1-2	7	0.25	0.01	0.50	ND	1.6	19	510	440	30	4.8	44.52814947	-67.61509033	Dry
8/7/12	Jonesport, ME	Sea St. Bridge-1	1130	~5	20	0.5	0.02	0.25	ND	1.2	2	ND	4	13	4.6	44.53058165	-67.60914446	Dry
8/7/12	Jonesport, ME	Hopkins Point-1	1147	~0.25	46	2	0	0.00	ND	ND	1.9	ND	ND	0.35	ND	44.5299202	-67.63180914	Dry

Fecal Coliform- color key: Red ≥ 10,000 col/100ml, Orange ≥ 1260 col/100ml, Yellow ≥ 235 col/100ml, Black < 235 col/100ml

PPCP color key: Pink = Concentrations greater than background

ND – not detected above the associated detection limit

NA – not applicable (analyte not tested for at that site at this time)

(~) – data reported as estimate

Legend

Aerial Maps



Above Ground Storage Tank
Slide Number (any color)



Storm Catchment



Sample Location

Photo Annotation



Surface Water Flow Direction (any color)



Narrative Annotation/Comment (any color)



Underground Pipe or Culvert Direction



OVERVIEW MAP



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

MAP 1



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12





MAP 2



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

MAP 3



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

MAP 4



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

MAP 5



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12



MAP 6



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Visit
8/6/12-8/7/12

Sample Locations

SAMPLE: Sawyer Square 1



SAMPLE: Sawyer
Square 1



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

SAMPLE: Sawyer Square 1



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Sanitary Sewer / Stormwater Field Work
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SAMPLE: Sawyer Square 1



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Sanitary Sewer / Stormwater Field Work
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SAMPLE: Sawyer Square 1



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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SAMPLE: Sawyer Square 1



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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SAMPLE: Cranberry Lane 1



Earthen
Dam, no
pipe
identified

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SAMPLE: Cranberry Lane 1



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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SAMPLE: Cranberry Lane 1



View downstream
of SAMPLE point
Cranberry Lane 1

Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

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SAMPLE: Hopkins Beach 1

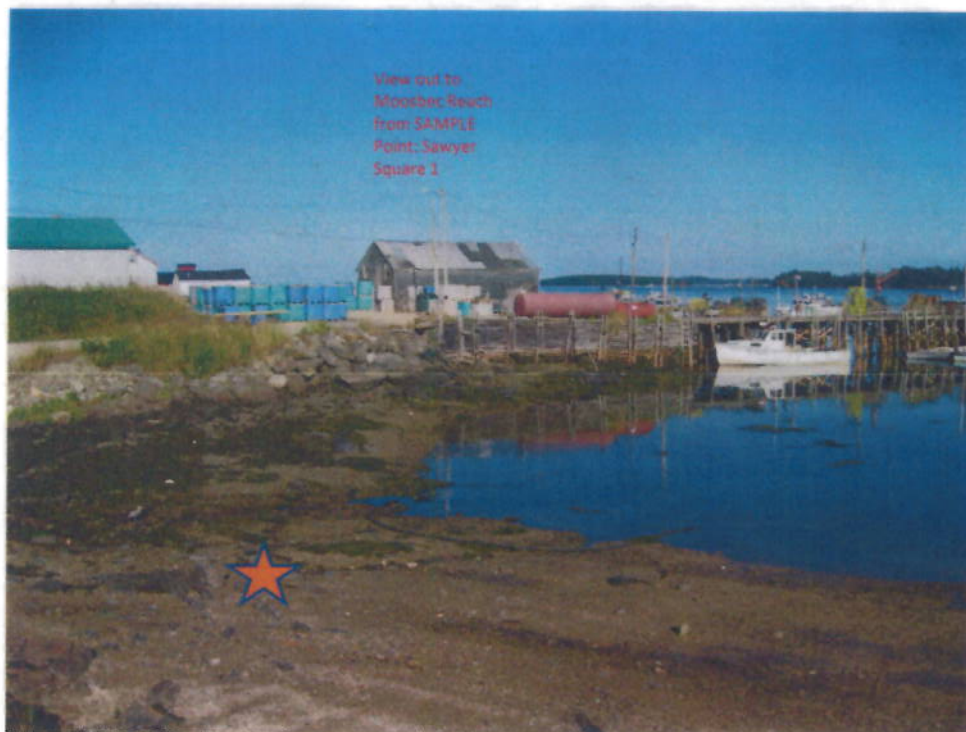


SAMPLE: Hopkins
Beach 1

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SAMPLE: Hopkins Beach 1



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Sanitary Sewer / Stormwater Field Work
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SAMPLE: Hopkins Beach 1



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SAMPLE: Hopkins Beach 1



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SAMPLE: Sea Street Bridge 1



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SAMPLE: Sea Street Bridge 1



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SAMPLE: Sea Street Bridge 1



View downstream of bridge and SAMPLE
point Sea Street Bridge 1 - Black flexible
pipe continues



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SAMPLE: Hopkins Point Rd 1



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SAMPLE: Sea Street Bridge 1



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SAMPLE: Sea Street Bridge 1



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SAMPLE: Hopkins Point Rd 1



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Stormwater Infrastructure

Main St.



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

Main St.



(see slide 31)

Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

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Main St. (Bangor North Bank parking lot)



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
8/6/12-8/7/12

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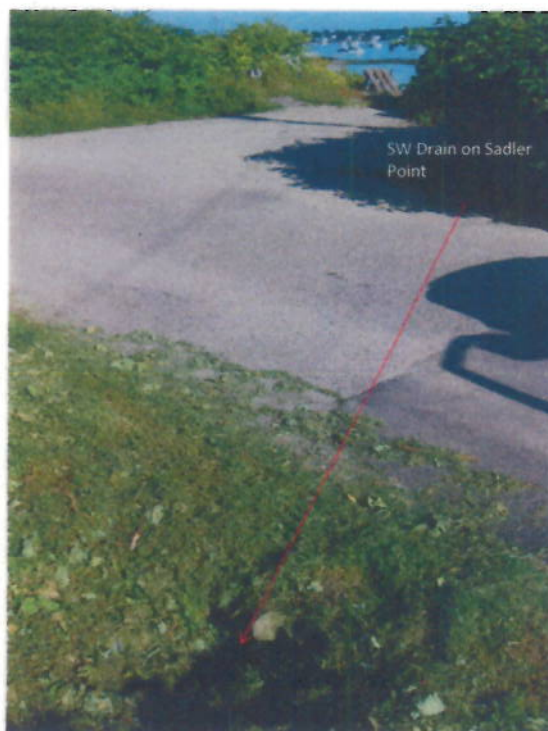
Main St.



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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Sadler Pt.



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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Runtz Lane Culvert



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Sanitary Sewer / Stormwater Field Work
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Runtz Lane Culvert



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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Runtz Lane Culvert



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Sanitary Sewer / Stormwater Field Work
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Runtz Lane Culvert



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Runtz Lane Culvert



Town of Jonesport, ME
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Main St. between Ice Hill N. and Moosabec



SW Drain on N.
side of Main St.
btwn Ice Hill N. and
Moosabec

Town of Jonesport, ME
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Main St. at Cogswell St.



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Beal Street



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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Main St. just east of Feeney St.



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Main St. across from Gaelic St.



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Main St. across from Sawyer Sq.



SW Drain on N.
side of Main St. in
front of TA Ving
and Son across
from intersection
of Main/Sawyer Sq.

Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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Sawyer Square Drainage Ditch 'westend'



SW Drain on
parking lot at end
of Western Ave. of
Sawyer Sq.

From N. on
Western Ave.

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Sanitary Sewer / Stormwater Field Work
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Parking lot at end of Western Ave.



Black flexible pipe
exiting basement
and entering the
catchbasin.

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Sanitary Sewer / Stormwater Field Work
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Parking lot at end of Western Ave.



Inside of
catchbasin labeled

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Sanitary Sewer / Stormwater Field Work
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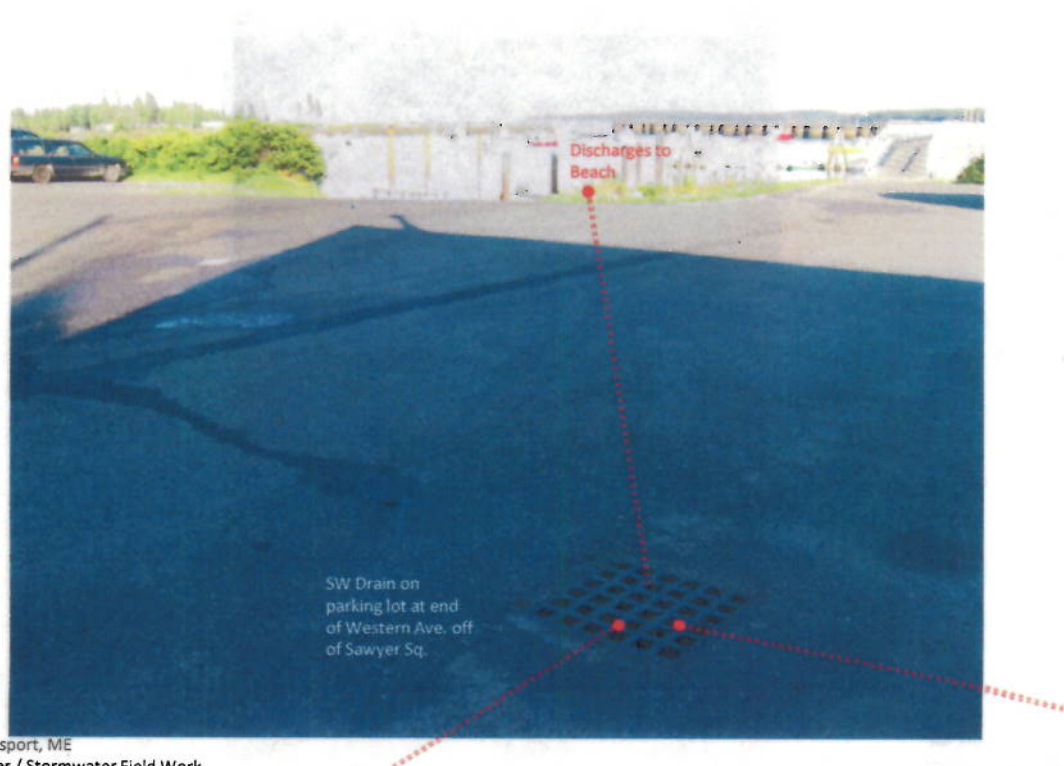
Parking lot at end of Western Ave.



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Parking lot at end of Western Ave.



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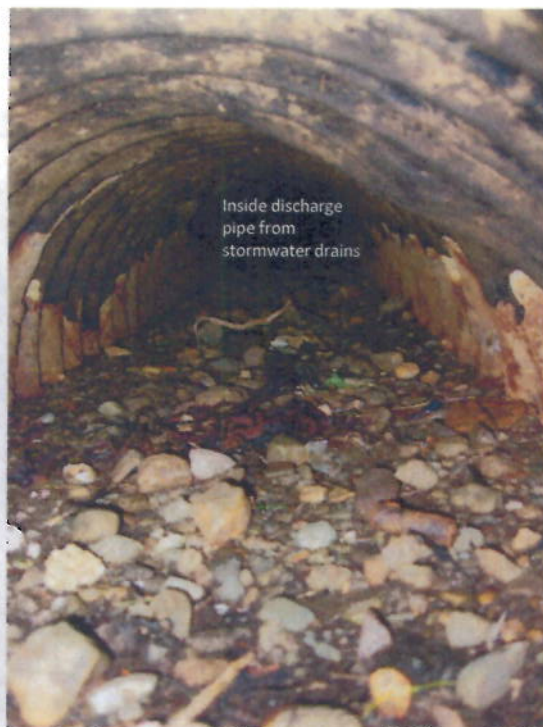
Parking lot at end of Western Ave.



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Sanitary Sewer / Stormwater Field Work
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Parking lot at end of Western Ave.



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Parking lot at end of Western Ave.



Corroded end of discharge pipe. No pipe evident between this piece and the current discharge point, but they align perfectly.



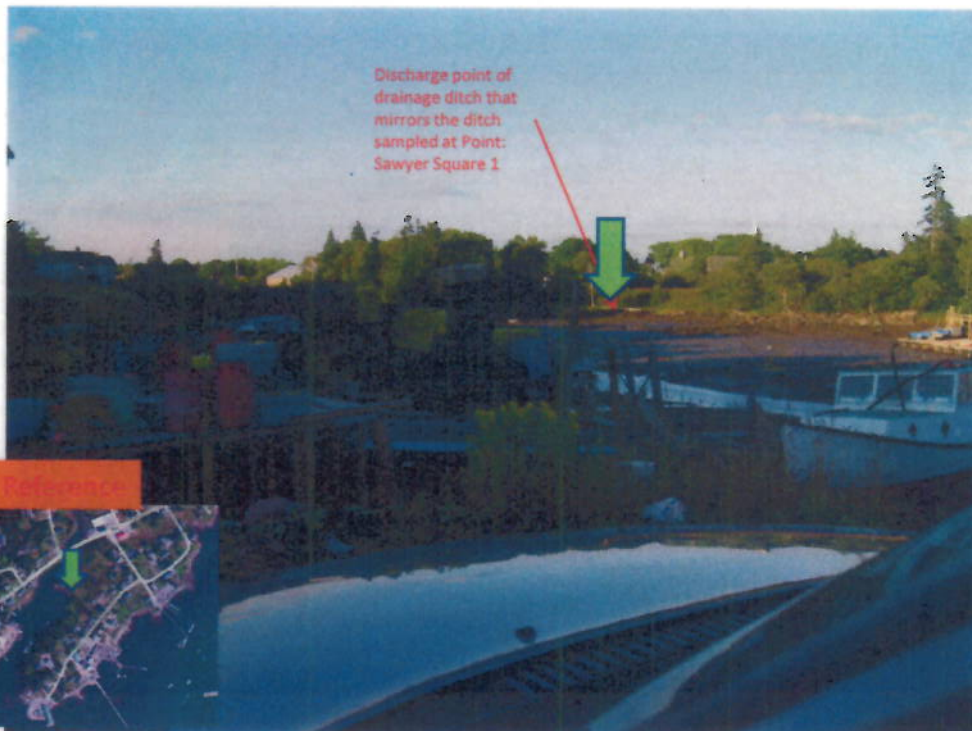
Town of Jonesport, ME
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Sawyer Square Drainage Ditch 'westend'



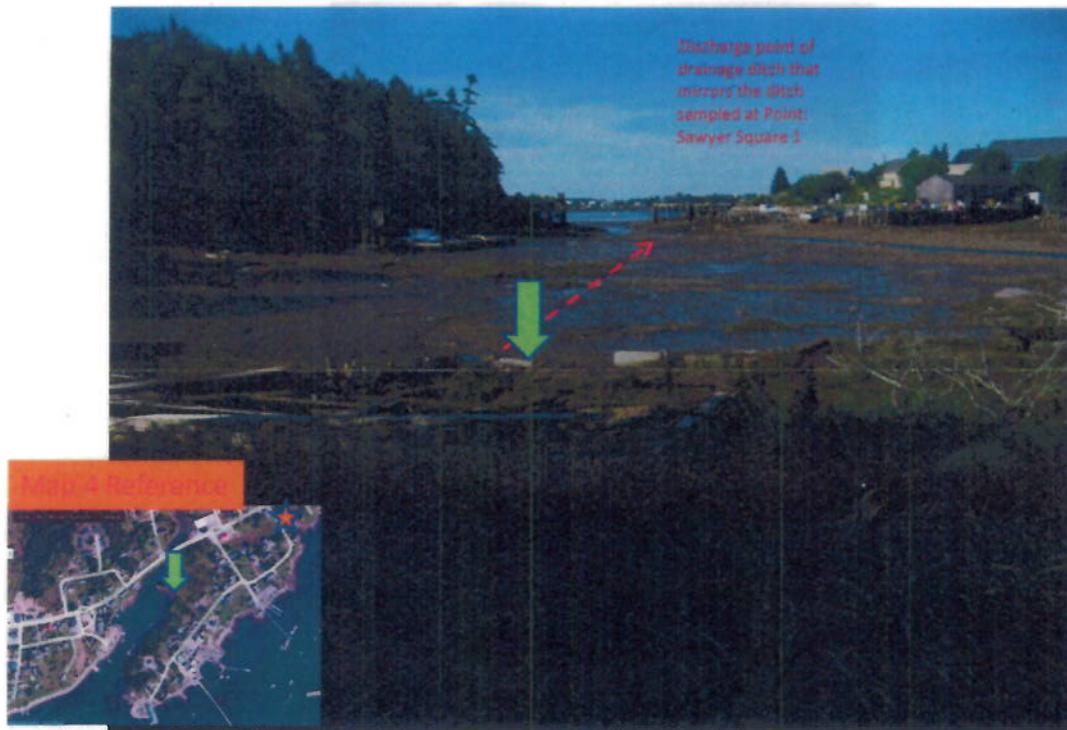
Discharge point of drainage ditch that mirrors the ditch sampled at Point: Sawyer Square 1



Town of Jonesport, ME
Sanitary Sewer / Stormwater Field Work
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Sawyer Square Drainage Ditch 'westend'



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Sawyer Square Drainage Ditch 'westend'



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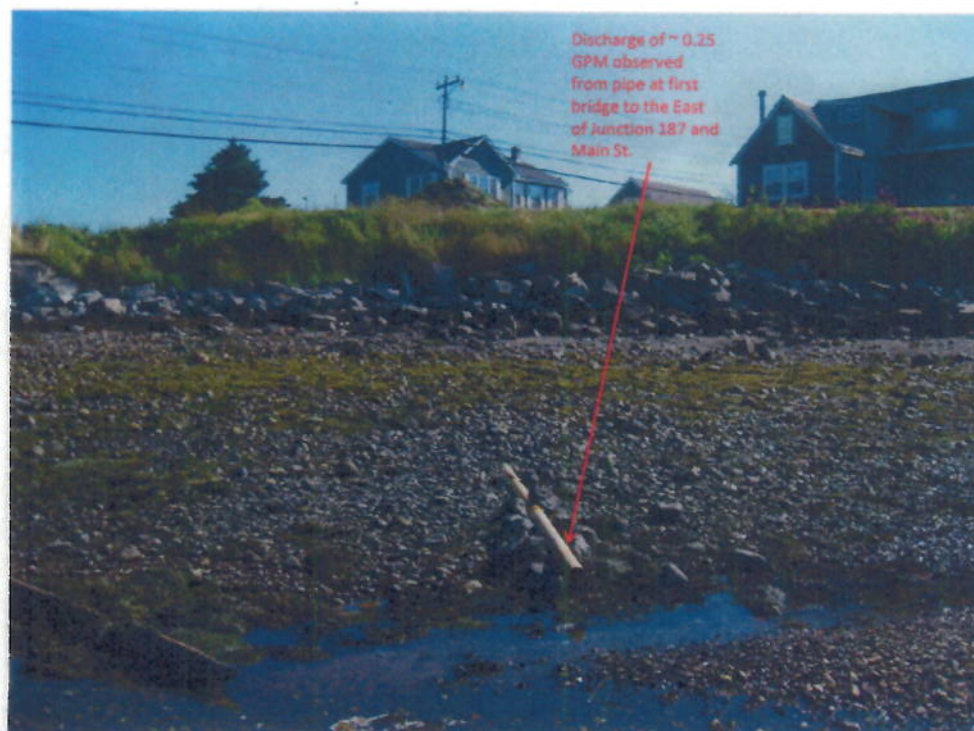
Sawyer Square Drainage Ditch 'westend'



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Main St. just east of Junction with Rt 187



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Main St. just east of Junction with Rt 187



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Main St.



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